

REMARKS

The Office Action has required restriction, under 35 U.S.C. § 121, to one of the following groups: Group I that includes claims 1-8 and 19-27 directed to servers for data backup, classified in class 709, subclass 203; and Group II that includes claims 9-18 directed to replicating data based on priority, classified in class 707, subclass 200. The Office Action identified Groups I and II as combination and subcombination. The Office Action required election of a single Group.

By this Amendment, Applicants amend claims 1, 7-9, and 16-18 to improve form. Independent claims 9, 17, and 18 (Group II) have been amended to depend from claims 1, 7, and 8 (Group I), respectively. Applicants, therefore, submit that the restriction requirement is rendered moot.

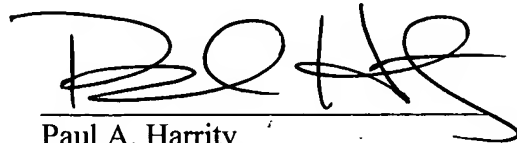
Nevertheless, Applicants respectfully elect Group I, which should now include claims 1-27.

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of the restriction requirement, and the favorable examination of all of the pending claims.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

HARRITY SNYDER, L.L.P.

A handwritten signature in black ink, appearing to read 'PAH', is written over a horizontal line.

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